



FORM No. - 4

See Rule (12)

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL

CUTTACK BENCH

ORDER SHEET

827

of 200

2

Applicant(s) Profaulke Kumar Das & others Respondent(s) U.O.I.

Advocate for Applicant(s) M/s B.S. Tripathy Advocate for Respondent(s)

M.R. Rak

J. Pati

NOTES OF THE REGISTRY

ORDERS OF THE TRIBUNAL

I.P.O/B.D. for Rs.50/- filed
For Registration please

Same filed in the Court
with covers to be taken
up today after lunch.

25/9/02

REGISTER

Regd. No. 5/1/2002

Or. No. 1 dated 25.9.2002

This matter has been taken up
to-day on being mentioned by the learned couns
for the Applicant.

In this Application 28 Applicants
have joined together and by filing Misc.
Application No. 902/02, they have prayed for
permission to jointly prosecute this O.A.

The prayer for joint prosecution of this O.A.
is allowed; subject to payment of Rs.1350/-

(Rupees One thousand & three hundred fifty)

in shape of I.P.O., Shri Tripathy ^{appearing} for the Applicant

Registration

1. Case No. O.A. 555/2002 filed
2. Synopsis filed before

25.09.02

25.09.02

25/9/2002

NOTES OF THE REGISTRY

ORDERS OF THE TRIBUNAL

I.P.O. No. 1350/-
one thousand three
hundred (Lakhs) rupees
and separate O.A. nos.
assigned in respect of other
27 applicants.

undertakes to file I.P.O. worth of Rs.1350/-
by 27.9.2002. Upon receipt of IPO worth of
Rs.1350/- separate O.A.nos. be assigned in
respect of other 27 Applicants for statistical
purpose. M.A.902/02 is disposed of accordingly.

*Yours
25/09/02*
MEMBER (JUDICIAL)

Order No.2 dated 25.9.2002

Heard Shri B.S.Tripathy, learned
counsel for the Applicants and Shri D.N.Mishra
learned Standing Counsel (on whom a copy of
O.A. has been served) appearing on behalf of
the Respondents/Railways.

Applicants, Asst. Station Masters/
Station Masters of S.E.Railway, Sambalpur
Division had approached this Tribunal earlier
in O.A.555/2000; wherein directions were
issued to Respondents to evaluate /make a
job analysis and accordingly grant necessary
relief to the Applicants. After the job
analysis work was over, the Applicants again
approached this Tribunal in M.A.130/02 and
obtained a direction to the Chief Personnel
Officer to pass necessary orders on the
report of job analysis and to grant necessary
relief by way of granting special allowances
to the Applicants, within a period of two
months from 26.3.2002. By filing the present
Original Application under Section 19 of the
Administrative Tribunals Act, 1985, the
Applicants have placed on record a Memorandum
dated 31.7.2002 (Annexure-3) issued by the
Divisional Personnel Officer, S.E.Railway,
Sambalpur in pursuance of concurrence of
the FA/GRC vide his letter No.FB ENG Optg.

Pt.XI/72 dated 01.7.02. Under the said
Annexure-31.7.2002 (Annexure-3), the Assistant
Station Masters/Station Masters of Maneeswar
Kerjanga ~~Keonjhar~~ Section of Sambalpur Railway Dvn.

have virtually been asked to work for eight
hours (continuous) under HOER, in stead of
working for 12 hours (EI) w.e.f. 1.8.2002.
By shewing this Memorandum dated 31.7.02,

the counsel for the Applicants submitted that, by implication, since the Applicants(ASMs/SMs) were discharging duties for 12 hours(EI) prior to 1.8.02, they are entitled to special/overtime allowances for the excess four hours duty.

Prima facie, the submission made by the Advocate for the Applicant appears to have considerable force and, as a necessary consequence, the Respondents should grant special/overtime allowance to the Applicants. Since this matter is being examined at the admission stage in the present O.A., Shri D.N.Mishra, Standing Counsel for the Railways submits that this matter again be sent to Respondents for needful action.

In the aforesaid premises, having heard the learned counsels of both sides, Respondents are directed to treat the copies of this O.A.827/02 to be a representation made in respect of each of the Applicants and consider the case of the Applicants and grant them necessary consequential relief in shape of arrears of special/overtime allowance by the end of October, 2002.

This O.A. is disposed of in the aforesated terms. No costs.

Send copies of this order to Respondents along with copies of O.A. as directed above. Free copies of this order be also made available to the learned counsels of both sides.

M. A. Bhat
25/09/2002
MEMBER(JUDICIAL)

Ref. order dt. 25/9/02

free copies of final order dt. 25/9/02
issued to counsel
for both sides

DB
25/09/02

Copies of order dated
25/9/02 alongwith copies
of O.A. communicated to
all resp'ts.

W/21/d

DB
21/10/02
S.O.